

ELECTRONIC FILING

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Pettis <i>et al.</i>	Confirmation No.:	4392
Application No.:	10/028,989	Art Unit:	3763
Filed:	December 28, 2001	Examiner:	Bouchelle, Laura A.
For:	METHOD AND DEVICE FOR REDUCING THERAPEUTIC DOSAGE	Attorney Docket No.:	11219-023-999 (P-4901P4)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the continuing duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the United States Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application which are or may be material to patentability of any claim of the application, Applicants hereby direct the Examiner's attention to references **A34-A49**, **B08-B10** and **C62-C68** listed on the accompanying List of References Cited by Applicant.

Enclosures accompanying this Information Disclosure Statement are the following:

1. A List of References Cited by Applicant listing References **A34-A49**, **B08-B10** and **C62-C68**; and
2. Copies of References **A43-A49**, **B08-B10** and **C62-C68**.

Pursuant to 37 C.F.R. § 1.98 (a)(2)(i), copies of references A34-A42 are not submitted herewith because they are U.S. patent application publications.

References B08-B10 and C62-C68

Reference **B08** is European Patent No. EP 1 296 740 B1. Reference **C62** is a copy of the Communication of a Notice of Opposition from the European Patent Office (the "EPO Notice") in connection with an opposition filed to EP 1 296 740 B1 (Reference **B08**).

The EPO Notice lists Documents lists "D1-D14." Copies of Documents D5-D7, D9, D10, and D12-D14 are submitted herewith. The following chart correlates the reference

numbers for documents D5-D7, D9, D10, and D12-D14 cited in the EPO Notice with the corresponding reference numbers in the accompanying List of References Cited by Applicant.

Reference No. in Opposition to EP 1 296 740 B1	Reference No. in the accompanying List of References Cited by Applicants)
D5	C63
D6	C64
D7	C65
D9	B09
D10	B10
D12	C05
D13	C06
D14	C07

The undersigned notes that Applicants have already made Documents D1-D4, D8, and D11 cited in the EPO Notice of record in the subject application. In particular, the following chart correlates the reference numbers for documents D1-D4, D8, and D11 cited in the EPO Notice with the corresponding reference numbers of the documents already made of record in the subject application.

Reference No. in Opposition to EP 1 296 740 B1	Reference No. in the Subject Application (Cited by Applicants)
D1	B06 (IDS submitted June 7, 2007)
D2	AP (IDS submitted October 23, 2002)
D3	AU (IDS submitted October 23, 2002)
D4	B07 (IDS submitted June 7, 2007)
D8	B02 (IDS submitted July 25, 2005)
D11	BC (IDS submitted October 23, 2002)

References A45-A49

Reference **A45** is a copy of the Notice of Allowance and Fee(s) due in Appl. Serial No. 10/028,988, which is assigned to the assignee of the subject application. References **A46-A49** are copies of Office Actions in Appl. Serial Nos. 09/606,909; 11/004,778; 11/004,779, and 11/004,780; all of which are assigned to the assignee of the subject application.

Identification of the listed references is not to be construed as an admission of Applicants that such references are available as "prior art" against the subject application.

Applicants respectfully request that the Examiner review the listed references and that the references be made of record in the file history of the application.

Pursuant to 37 C.F.R. § 1.97(c), since this Supplemental Information Disclosure Statement is being filed after the mailing date of a first Office Action on the merits, but before the mailing date of a final action under 37 C.F.R. § 1.311 or an action that otherwise closes prosecution in this application, it is estimated that a fee of **\$180.00** as set forth in 37 C.F.R. § 1.17(p) is due for this submission. Please charge the required fee to Jones Day Deposit Account No. 50-3013.

E. A. Meade
By: *Eric A. Meade*
Respectfully submitted, *Reg. No. 42,876*

Date: August 8, 2008

Laura A. Coruzzi 30,742
For: Laura A. Coruzzi (Reg. No.)
JONES DAY
222 East 41st Street
New York, New York 10017
(212) 326-3939

Enclosures